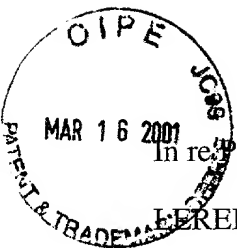


#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re: Patent Application of

LEREBOUR et al.

Atty. Ref.: 2365-28

Serial No. 09/782,520

Group:

Filed: February 14, 2001

Examiner:

For: USE OF PARTICULAR FATTY SUBSTANCES WHICH MAKE IT POSSIBLE TO
MODIFY THE PHYSICOCHEMICAL PROPERTIES OF THE SKIN AND/OR THE
MUCOUS MEMBRANES AS AGENTS PREVENTING OR REDUCING THE
ADHESION OF MICROORGANISMS TO THE LATTER

* * * * *

March 16, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Preliminarily amend the above-identified application as follows:

IN THE CLAIMS

Amend the claims as follows.

Cancel claims 1-12, without prejudice.

Add the following claims.

--13. (new) A method of modifying the physicochemical properties of the surface of the skin and/or of the mucous membranes so as to prevent or reduce the adhesion of microorganisms to the latter, said method comprising contacting a composition with said skin and/or mucous membranes, said composition comprising, as an active ingredient, in a cosmetic composition or pharmaceutical composition, a modifying effective quantity of at least one fatty substance free of

09782520-031601

carbohydrate units, having a melting point of less than 35°C and having an interfacial tension of between 6 and 27 mN/m.

14. (new) A method according to Claim 13, wherein the active ingredient is selected from the group consisting of fatty acid triglycerides, vegetable oils and fatty esters comprising one or more linear or branched chains, comprising 8 to 30 carbon atoms.

15. (new) A method according to Claim 13, wherein the active ingredient is selected from caprylic/capric acid triglycerides, wheatgerm oil, calendula oil, castor oil, olive oil, avocado oil, sweet almond oil, groundnut oil, jojoba oil, sesame oil, apricot oil, sunflower oil, macadamia oil, shea butter, hexyl laurate, decyl oleate, octyl dodecyl neopentanoate, isopropyl myristate, isopropyl isostearate, isopropyl stearate, dioctyl adipate, isononyl isononanoate, tartrate of branched C₁₂-C₁₃ dialcohols, octoxyglyceryl palmitate, octoxyglyceryl behenate and/or mixtures thereof, isopropyl palmitate and di(C₁₂-C₁₃ alkyl) malate.

16. (new) A method according to Claim 13, wherein the active ingredient is selected from sesame oil, shea butter, octoxyglyceryl palmitate, octoxyglyceryl behenate, dioctyl adipate, apricot stone oil, tartrate of branched C₁₂-C₁₃ dialcohols and/or mixtures thereof, isopropyl palmitate and di(C₁₂-C₁₃ alkyl) malate.

17. (new) A method according to Claim 13, wherein the active ingredient is present in a quantity ranging from 0.1% to 100% of the total weight of the composition.

18. (new) A method according to Claim 17, wherein the active ingredient is present in a quantity ranging from 0.5% to 50% of the total weight of the composition.

19. (new) A method according to Claim 17, wherein the active ingredient is present in a quantity ranging from 5% to 25% of the total weight of the composition.

20. (new) A method according to Claim 13, wherein the composition is provided in the form of a lotion, a gel, a serum, an emulsion or a dispersion of lipid vesicles.

21. (new) A method of cosmetic treatment for treating disorders linked to the adhesion of microorganisms comprising applying to the skin and/or the mucous membranes a cosmetic composition comprising at least one fatty substance free of carbohydrate units, having a melting point of less than 35° C and having an interfacial tension of between 6 and 27 mN/m, in a cosmetically acceptable medium.

22. (new) A cosmetic method comprising topical application of at least one fatty substance free of carbohydrate units, having a melting point of less than 35° C and having an interfacial tension of between 6 and 27 mN/m as active ingredient in a cosmetic composition intended to reduce bad body odours and/or intended for body hygiene health care.

23. (new) A cosmetic method comprising topical application of at least one fatty substance free of carbohydrate units, having a melting point of less than 35° C and having an interfacial tension of between 6 and 27 mN/m as active ingredient in a cosmetic composition intended to combat comedones and/or dandruff.

24. (new) A method of preparing a pharmaceutical composition intended to be used by topical application to combat mycosis and/or acne comprising admixing at least one fatty substance free of carbohydrate units, having a melting point of less than 35° C and having an interfacial tension of between 6 and 27 mN/m as active ingredient with said composition.

25. (new) A composition for modifying the physicochemical properties of the surface of the skin and/or of the mucous membranes so as to prevent or reduce the adhesion of microorganisms to the latter, said composition comprising, as an active ingredient, in a cosmetic or pharmaceutical composition, a modifying effective quantity of at least one fatty substance free of carbohydrate units, having a melting point of less than 35° C and having an interfacial tension of between 6 and 27 mN/m

26. (new) A composition according to Claim 25, wherein the active ingredient is selected from the group consisting of fatty acid triglycerides, vegetable oils and fatty esters comprising one or more linear or branched chains, comprising 8 to 30 carbon atoms.

27. (new) A composition according to Claim 25, wherein the active ingredient is selected from caprylic/capric acid triglycerides, wheatgerm oil, calendula oil, castor oil, olive oil, avocado oil, sweet almond oil, groundnut oil, jojoba oil, sesame oil, apricot oil, sunflower oil, macadamia oil, shea butter, hexyl laurate, decyl oleate, octyl dodecyl neopentanoate, isopropyl myristate, isopropyl isostearate, isopropyl stearate, dioctyl adipate, isononyl isononanoate, tartrate of branched C₁₂-C₁₃ dialcohols, octoxyglyceryl palmitate, octoxyglyceryl behenate and/or mixtures thereof, isopropyl palmitate and di(C₁₂-C₁₃ alkyl) malate.

28. (new) A composition according to Claim 25, wherein the active ingredient is selected from sesame oil, shea butter, octoxyglyceryl palmitate, octoxyglyceryl behenate, dioctyl adipate, apricot stone oil, tartrate of branched C₁₂-C₁₃ dialcohols and/or mixtures thereof, isopropyl palmitate and di(C₁₂-C₁₃ alkyl) malate.

29. (new) A composition according to Claim 25, wherein the active ingredient is present in a quantity ranging from 0.1% to 100% of the total weight of the composition.

30. (new) A composition according to Claim 29, wherein the active ingredient is present in a quantity ranging from 0.5% to 50% of the total weight of the composition.

31. (new) A composition according to Claim 30, wherein the active ingredient is present in a quantity ranging from 5% to 25% of the total weight of the composition.

32. (new) A composition according to Claim 25, wherein the composition is provided in the form of a lotion, a gel, a serum, an emulsion or a dispersion of lipid vesicles.--

REMARKS

Claims 1-12 have been canceled, without prejudice.


The claims have been rewritten as new claims 13-32, to place the claims in a more traditional format, without prejudice.

An early and favorable Action on the merits is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



B. J. Sadoff
Reg. No. 36,663

BJS:ms
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

09/782,520